

**Remarks**

Claims 1-6, 8-13, 17, and 21-35 are pending in the case.

Claims 5, 6, 8-13, 17, 21, 27 and 28 are withdrawn.

Claims 7, 14-16 and 18-20 are cancelled.

Pursuant to the Second Notice of Non-Compliant Amendment mailed on May 3, 2007, the document entitled "Response to Notice of Non-Compliant Amendment" of February 19, 2007 ("First Response") has been modified as follows: (1) Claims 21 through 35 have been added to the amended claims section of the First Response thereby providing a complete listing of all claims; and (2) the status identifiers of Claims 21, 27 and 28 have been modified to conform to the required Specie Restriction.

More specifically, with regard to the Amendments to the Claims, Claims 21 through 35 have been added to the list of amended claims included in the First Response, thereby completing the list of all claims. Claims 22 through 26 and Claims 29 through 35 have retained the status identifier of "Newly Added", while the status identifiers for Claims 21, 27 and 28 have been changed from "Newly Added" to "Withdrawn – Newly Added".

The status identifier of Claim 21 has been changed because it is dependent on Claim 8 which is currently identified as "Withdrawn – Currently Amended". However, as was discussed in the "Remarks" section of the First Response, which is herein

adopted by reference, Claim 1 has been amended as an allowable generic claim; therefore, the Specie Restriction should be lifted, thereby making Claim 8 (as well as Claim 9) allowable. Consequently, as Claim 8 is now allowable, Claim 21 should also now be allowable insofar as it is dependent on Claim 8.

The changes to the status identifiers of Claims 27 and 28 are made in response to Applicant's election of Specie I in the document entitled "RESTRICTION RESPONSE – Amendment 'A'" (the "Amendment A Document"). Note that these Claims have been identified as "Withdrawn – Newly Added" (and not simply "Withdrawn") based on the arguments set forth in the "Remarks" of both the First Response and the Amendment A Document. Specifically, as these Claims have been drafted so that they are dependent on Claim 26, they are allowable. Moreover, as both Claim 1 and Claim 26 are allowable generic claims, the Specie Restriction should be lifted, thereby making Claims 27 and 28 allowable.

With regard to any substantive issues surrounding the First Response or the Amendment A Document, this Response to the Second Notice of Non-Compliant Amendment does hereby incorporate by this reference the "Remarks" section of said First Response and the Amendment A Document insofar as such documents are applicable.

Based on the above amendments and remarks, it is submitted that all of the claims remaining in the case are allowable. If the Examiner feels a telephone

conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this attorney at (504) 585-3803.

Respectfully submitted,

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Title: Portable Crane/Winch/Hoist  
Serial No.: 10/657,029

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